

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DISABLED PATRIOTS OF AMERICA, INC., a  
Florida Not-For-Profit Corporation, and  
BONNIE KRAMER, Individually,  
Plaintiffs,

v.

ANU ENTERPRISES, INC., an Illinois  
Corporation  
Defendant.

Case No.: 1:07-CV-6610

Judge James F. Holderman  
Magistrate Judge Sidney I. Schenkier

**REPORT OF PARTIES' PLANNING  
CONFERENCE**

Pursuant to this Court's order, Thomas B. Bacon and John P. Fuller, representing Plaintiffs, and John B. Wolf, Esq., representing the Defendant, met on July 1, 2008 pursuant to Rule 26(f) to discuss:

- (1) the nature and basis of their claims and defenses;
- (2) the possibilities for a prompt settlement or resolution of this case;
- (3) to make or arrange for the disclosures required under Rule 26(a)(1); and
- (4) to develop a discovery plan.

To that end, the parties propose the following:

A. The issues in this case may be simplified by taking the following steps:

1. Plaintiffs and their expert have already conducted a Rule 34 inspection of the premises to survey the alleged ADA violations present at the facility and to recommend remedial measures they advance as being readily achievable.
2. Based on the Rule 34 inspection report, when received by Plaintiffs' counsel, Plaintiffs will submit a settlement proposal for Defendant's consideration.

B. The following modifications to the discovery requirements of the Federal Rules of Civil

Procedure or Local Rules should be made to expedite discovery.

None.

C. Discovery will be needed on the following subjects:

1. Defendant's financial ability to implement remedial measures.
2. Any previous or present construction, alterations or modifications of the subject facility since 1992.

D. Discovery should not be conducted in phases.

E. The parties consent to this matter being referred to the Magistrate Judge for management of discovery.

F. The parties consent to this matter being referred to the Magistrate Judge for final disposition.

G. The parties have discussed the possibility of alternative dispute resolution and concluded that, if parties are unable to settle the case independently, that the matter be referred to mediation in 60 days.

H. The parties have discussed a prompt settlement or other resolution of this matter. In this regard, the Plaintiff will submit a proposed settlement for remedial measures and attorney fees, costs, expert fees and litigation expenses within 7 days of receipt of the report of their expert.

I. The Court should consider the following methods of expediting the resolution of this matter:

That the matter be scheduled for status hearing in 45 days.

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